

Vote Record

Senate Committee on Economic Development, Housing and Government Operations

Date: 9-2-99 Grob
Moved by: 189 Seconded by: Zien
AB: _____ Clearinghouse Rule: _____
AB: _____ SB: _____ Appointment: _____
AJR: _____ SJR: _____ Other: _____
A: _____ SR: _____

A/S Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____
A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- ☐ Passage
☐ Introduction
☐ Adoption
☐ Rejection

- ☐ Indefinite Postponement
☐ Tabling
☒ Concurrence
☐ Nonconcurrence
☐ Confirmation

Committee Member

Sen. Robert Wirch, Chair
Sen. Gwendolynne Moore
Sen. Richard Grobschmidt
Sen. Gary Drzewiecki
Sen. David Zien

<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: _____

☐ Motion Carried

☐ Motion Failed



LISA M. ROYS

Director of Communications

www.wdfi.org

345 W. Washington Ave - 5th Fl
P.O. Box 8881
Madison, WI 53708-8881
Office: (608) 268-0450
Fax: (608) 281-9541
E-mail: lroye2@mail.state.wi.us

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 9/2/99

BILL NO. AB 189
OR

SUBJECT _____

ROBERT RITGER

DEPT-FINANCIAL INSTITUTIONS
(NAME)

P.O. Box 7846

(Street Address or Route Number)

MADISON WI 53707

(City and Zip Code)

DFI

(Representing)

Speaking in Favor: ☐

Speaking Against: ☐

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information
only; Neither for nor against: ☒

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

Mary Czech-Mrochowski on behalf of
(NAME) Rep. Jeff Plate

(Street Address or Route Number)

State Capitol

(City and Zip Code)

(Representing)

Speaking in Favor: ☐

Speaking Against: ☐

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information
only; Neither for nor against: ☐

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: SEPTEMBER 2 1999

BILL NO. AB 189
OR

SUBJECT _____

JOHN HUEBSCNER
(NAME)

30 W. WIFFLIN ST #302
(Street Address or Route Number)

MADISON WI 53703
(City and Zip Code)

WI CATHOLIC CONFERENCE
(Representing)

Speaking in Favor: ☒

Speaking Against: ☐

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information
only; Neither for nor against: ☐

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: September 2, 1999

BILL NO. AB 189
OR

SUBJECT _____

Senator Brian Burke
(NAME)

State Capitol
(Street Address or Route Number)

(City and Zip Code)

(Representing)

Speaking in Favor: ☐

Speaking Against: ☐

Registering in Favor:
but not speaking: ☒

Registering Against:
but not speaking: ☐

Speaking for information
only; Neither for nor against: ☐

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

April 21, 1999

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Assembly Bill 189: Consolidation or Merger of Incorporated Roman Catholic Congregations

Assembly Bill 189 would establish procedures under which two or more incorporated Roman Catholic congregations could merge or consolidate. The bill was introduced on March 8, 1999, and was immediately referred to the Joint Committee on Finance.

BACKGROUND

Chapter 187 of the statutes provides for the incorporation of religious societies and the congregations of certain specific churches and denominations. Provisions relating to the Roman Catholic Church [s. 187.19] authorize the bishop of each diocese, along with the vicar-general of the diocese, the pastor of the congregation to be incorporated and two layperson communicants of the congregation to incorporate. The resulting corporation shall assume a name and adopt articles of incorporation and may hold, sell or convey real and personal property, contract for debts and sue and be sued. Current law [s. 187.19(10)] also allows for the dissolution of an incorporated diocese, in which case to property and records of the former corporation vest in the bishop of the diocese. There is no current law procedure for the consolidation or merger of incorporated Roman Catholic congregations.

SUMMARY OF THE BILL

Assembly Bill 189 would newly authorize two or more incorporated Roman Catholic congregations to merge with another incorporated Roman Catholic congregation or to consolidate

themselves into a new incorporated congregation. The bishop of the diocese in which the corporations subject to the merger or consolidation are located would have to give his approval of the proposed change.

If the bishop approved the proposed merger or consolidation, provisions of Assembly Bill 189 would require the directors of each incorporated congregation that is a party to the change to adopt, by a two-thirds vote of each such body, a plan of merger or consolidation.

The plan adopted by the respective boards would have to include all of the following elements: (1) the names of the corporations proposing to merge or consolidate and the name of either the surviving corporation (where merger would occur) or the new corporation (where consolidation would occur); (2) the terms and conditions of the proposed merger or consolidation; (3) all statements required to be included in the articles of incorporation of the new or surviving corporation; and (4) any other provision concerning the proposed merger or consolidation that is deemed advisable and necessary.

Upon the recording of the plan of merger or consolidation with the Register of Deeds of the county in which the property is located, all real property owned by the affected incorporated congregations would become the property of the surviving corporation (where merger would occur) or the new corporation (where consolidation would occur).

The bill would become effective on the day following publication.

TECHNICAL AMENDMENT

As currently drafted, the bill would require the boards of directors of the affected congregations to adopt a "plan or merger or consolidation" by a two-thirds vote. The bill should be corrected to refer to a "plan of consolidation and merger."

FISCAL EFFECT

Assembly Bill 189 is not expected to have a fiscal effect on state or local expenditures or revenues other than for the occasional filing fees collected for legal documents and articles of incorporation.

Prepared by: Tony Mason



WISCONSIN CATHOLIC CONFERENCE

TO: Members, Wisconsin State Assembly

FROM: John Huebscher

DATE: June 1, 1999

RE: Assembly Bill 189 - Mergers and Consolidations of Catholic Parishes

The Wisconsin Catholic Conference requests your support of Assembly Bill 189 to create a mechanism to permit the merger or consolidation of Catholic parishes in the same diocese.

The organization and structure of religious societies is addressed in Chapter 187 of the statutes. Over the years, Chapter 187 has been maintained in a way that recognizes the differences between religions and denominations.

Section 187.19 speaks to the structures of the Roman Catholic Church including parish corporations. While this section addresses formation and dissolution of parish corporations, it does not speak specifically to mergers or consolidations of parishes.

As dioceses adapt their parishes locations to accommodate population shifts and other needs, it is often more appropriate to merge and consolidate existing parishes than to close old ones. However, in the absence of a consolidation procedure such as exists for other denominations in 187.14, the process of doing so is cumbersome and more complicated than need be.

Accordingly, WCC is seeking to amend the law to create a means for Catholic parishes to merge/consolidate. AB 189 tracks the process used by non-profit corporations in Chapter 181 and requires two-thirds approval of the directors for the merger/consolidation. We support the amendment adding a requirement that a copy of the merger or consolidation agreement be filed with the Department of Financial Institutions.

Your support of AB 189 will be appreciated.

-- If Thurs - leaves @ noon for Washington
-- Wednesday is fine



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536

Telephone: (608) 266-1304

Fax: (608) 266-3830

Email: leg.council@legis.state.wi.us

DATE: August 26, 1999

TO: SENATOR ROBERT WIRCH, CHAIRPERSON, SENATE COMMITTEE ON
ECONOMIC DEVELOPMENT, HOUSING AND GOVERNMENT
OPERATIONS

FROM: Dan Fernbach, Senior Staff Attorney

SUBJECT: 1999 Assembly Bill 189, Relating to Consolidation or Merger of Incorporated
Roman Catholic Congregations

1999 Assembly Bill 189 was introduced on March 8, 1999 by Representatives Gard and Plale and referred to the Joint Committee on Finance. The bill was recommended unanimously for passage by the Joint Committee. Following the adoption of Assembly Amendments 1 and 2, the Assembly, on June 1, 1999, passed the bill by a vote of Ayes, 99 and Noes, 0.

A. CURRENT LAW

Chapter 187 of the statutes authorizes the incorporation of religious organizations and congregations of certain churches and religious denominations. Under the provisions of s. 187.19, Stats., a Roman Catholic diocese or congregation may be incorporated. The resulting corporation shall assume a name, adopt articles of incorporation, and may hold, sell or convey real and personal property, contract for debts and may sue and be sued. The statute also governs the dissolution of an incorporated diocese, but there is no statutory procedure to consolidate or merge incorporated Roman Catholic congregations.

B. PROVISIONS OF ASSEMBLY BILL 189

Assembly Bill 189 would authorize two or more incorporated Roman Catholic congregations to merge with another incorporated Roman Catholic congregation or to consolidate themselves into a new incorporated congregation, subject to approval by the Bishop of the diocese. If the Bishop so approves, the bill requires the Board of Directors of each incorporated congregation to be merged or consolidated to adopt, by a 2/3 vote, a plan of merger or consolidation.

The adopted merger or consolidation plan must include all of the following:

1. The names of the corporations proposing to merge or consolidate, and the name of the surviving corporation after a merger or the name of the new corporation following a consolidation;
2. The terms and conditions of the proposed merger or consolidation;
3. All statements required to be included in the articles of incorporation of the new or surviving corporation; and
4. Any other provision concerning the proposed merger or consolidation that is deemed advisable and necessary.

After recording the merger or consolidation plan with the Register of Deeds of the county or counties in which the property is located, all real estate owned by the affected congregations would become the property of the surviving merged corporation or the consolidated new corporation.

The bill is *not expected to have a fiscal effect* on state or local expenditures, except for filing fees collected for legal documents and articles of incorporation.

Assembly Amendment 1 was adopted to correct a typographical error in the original bill. *Assembly Amendment 2* requires the surviving or new corporation to file a copy of the merger or consolidation plan with the Department of Financial Institutions and record the plan with the Register of Deeds of the county or counties where the parties and real estate owned by them are located.

DF:tlu;rv